

REMARKS

Disposition of the Claims

Claims 1-38 are pending. Claim 1 is independent. Claims 2-38 depend, directly or indirectly, from claim 1.

Response to the Election of Species Requirement

The Examiner asserts that the original claims include 2 species. The election of species requirement is respectfully traversed for the following reasons.

Applicant respectfully notes that this application is a National Stage application, under 35 U.S.C. § 371, based on a PCT application. Therefore, the “unity of invention” concept under PCT rules 13.1 and 13.2 should be followed. 37 CFR §§ 1.475 1.499; MPEP § 1850.

“Unity of invention has to be considered in the first place only in relation to the independent claims in an international application and not the dependent claims. . . . If the independent claims avoid the prior art and satisfy the requirement of unity of invention, no problem of lack of unity arises in respect of any claims that depend on the independent claims.” MPEP § 1850. Thus, it is improper for the Examiner to require restriction of the dependent claims.

In the Election of Species Requirement, the Examiner asserts that claims are directed to more than one species of the generic invention. However, the two species cited by the Examiner correspond to groups of dependent claims. The Examiner admits that the only independent claim, claim 1, is generic to both species. Because the differences between the two groups cited by the Examiner are directed only to the dependent claims, an Election of Species Requirement is improper in this §371 application. Accordingly, withdrawal of this requirement is respectfully requested.

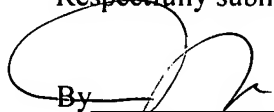
In the event that the Examiner elects to maintain the Election of Species Requirement, Applicant elects with traverse Species I, which includes claims 8, 9, 15, 16, 20-23, 28, 29, and 35.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues. Favorable action on the merits is solicited. If other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17102/018001).

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Respectfully submitted,

 By _____

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